

Exhibit 6

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

11 NEUROGRAFIX, a California
12 corporation; WASHINGTON
13 RESEARCH FOUNDATION, a not-for-
14 profit Washington corporation,

15 Plaintiffs,

16 vs.

17 SIEMENS MEDICAL SOLUTIONS
18 USA, INC., a Delaware corporation; and
19 SIEMENS AKTIENGESELLSCHAFT,
20 a German Corporation,

21 Defendants.

Case No. 10-CV-1990 MRP (RZx)

[Assigned to The Honorable Mariana
R. Pfaelzer]

**PLAINTIFF NEUROGRAFIX'S
DISCLOSURE OF ASSERTED
CLAIMS AND INFRINGEMENT
CONTENTIONS**

First Amended Complaint Filed:
August 10, 2009

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EXHIBIT A - United States Patent No. 5,560,360 to Filler et al vs. Siemens

Claim of US 5,560,360	Exemplary evidence supporting infringement
<p>1. A method of utilizing magnetic resonance to determine the shape and position of mammal tissue, said method including the steps of:</p>	<p>The Accused Instrumentalities use a method utilizing magnetic resonance to determine the shape and position of mammal tissue. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – Morphology—details from head to toe at 3 (“MR is a non-invasive imaging technique. Its primary field of application includes the display of morphology, that is, tissue structures in a series of slice images through the body.”). The Accused Instrumentalities include, e.g., the MAGNETOM Avanto 1.5T; MAGNETOM Espree 1.5T; MAGNETOM Symphony, A Tim System 1.5T; MAGNETOM Trio, A Tim System 3T; MAGNETOM Verio 3T; MAGNETOM Essenza; MAGNETOM Aera 1.5T; MAGNETOM Skyra 3T; MAGNETOM Allegra 3T; MAGNETOM Rhapsody 1T; MAGNETOM Harmony 1T; or MAGNETOM Sonata 1.5T systems with syngo MultiModality Workplace, Syngo, Numaris, syngo MR B15, syngoMMWP VE26A, syngo MR C15, Neuro Suite, DTI Task Card, 3D Neuro Task Card, syngo DTI, syngo DTI Tractography, and/or syngo DTI Evaluation.</p> <p>See, e.g., https://www.medical.siemens.com/webapp/wcs/stores/servlet/PSOptionProductDisplayView?catalogId=11&catTree=100010,1007660,12754,1024365&langId=11&productId=191673&productType=6&storeId=10001 (last visited November 23, 2010) (listing systems capable of using syngo DTI (Diffusion Tensor Imaging) Tractography); http://www.medical.siemens.com/webapp/wcs/stores/servlet/CategoryDisplay~q_catalogId~e_1~a_categoryId~e_14330~a_catTree~e_100010,1007660,12754,14330~a_langId~e_1~a_storeId~e_10001.htm (listing magnetic resonance systems); http://www.nmr.mgh.harvard.edu/~rpwang/siemens/dti_taskcard/new/ (describing how to use DTI Task Card on Siemens Numaris 4 satellite console); http://www.medical.siemens.com/webapp/wcs/stores/servlet/PSGenericDisplay?storeId=10001&langId=-4&catalogId=-4&catTree=100001&pageId=38910 (describing Neuro Suite as a portion of Tim Application Suite including “EPI sequences and protocols for diffusion imaging”).</p>

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	<p>& 10-09; UCLA 1806064. One way to measure the conspicuity of nerves relative to non-neural tissue is to use NIH ImageJ software. To produce a numerical analysis of the conspicuity of the fascicles, for example, the NIH ImageJ software can measure the difference between brightest and darkest areas inside the nerves and the difference between the brightest and darkest areas in adjacent muscle and adjacent vessels. Then create a ratio between the degree of brightness variation in the nerve (high) and the degree of brightness variation in the muscle and vessel (low).</p>
<p>[1e2] said processing including the step of analyzing said output for information representative of fascicles found in peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves.</p>	<p>The Accused Instrumentalities use a method that includes analyzing the output for information representative of fascicles found in peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves. See, e.g., UCLA 1806064 and related report (showing/describing sciatic nerve fascicles; "The sciatic nerves, and each of the individual nerve fascicles are well seen at the level of the retroischial fossa, and at the level of the ischial tuberosities and they are symmetric and contour, caliber and signal intensity throughout."); Hopkins 4554271 (showing fascicles); Cedars 614241 (showing fascicles).</p>
<p>3. A method of utilizing magnetic resonance to determine the shape and position of mammal tissue, said method including the steps of:</p>	<p>The Accused Instrumentalities use a method utilizing magnetic resonance to determine the shape and position of mammal tissue. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – Morphology—details from head to toe at 3 ("MR is a non-invasive imaging technique. Its primary field of application includes the display of morphology, that is, tissue structures in a series of slice images through the body."). The Accused Instrumentalities include, e.g., the MAGNETOM Avanto 1.5T; MAGNETOM Espree 1.5T; MAGNETOM Symphony, A Tim System 1.5T; MAGNETOM Trio, A Tim System 3T; MAGNETOM Verio 3T; MAGNETOM Essenza; MAGNETOM Aera 1.5T; MAGNETOM Skyra 3T; MAGNETOM Allegra 3T; MAGNETOM Rhapsody 1T; MAGNETOM Harmony 1T; or MAGNETOM Sonata 1.5T systems with syngo MultiModality Workplace, Syngo, Numaris, syngo MR B15, syngoMMWP VE26A, syngo MR C15, Neuro Suite, DTI Task Card, 3D Neuro Task Card, syngo DTI, syngo DTI Tractography, and/or syngo DTI Evaluation. See, e.g.,</p>

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	<p>https://www.medical.siemens.com/webapp/wcs/stores/servlet/PSOptionProductDisplayView?catalogId=-11&catTree=100010.1007660.12754.1024365&langId=-11&productId=191673&productType=6&storeId=10001 (last visited November 23, 2010) (listing systems capable of using syngo DTI (Diffusion Tensor Imaging) Tractography);</p> <p>http://www.medical.siemens.com/webapp/wcs/stores/servlet/CategoryDisplay~q_catalogId~e-1~a_categoryId~e_14330~a_catTree~e_100010.1007660.12754.14330~a_langId~e-1~a_storeId~e_10001.htm (listing magnetic resonance systems);</p> <p>http://www.nmr.mgh.harvard.edu/~rpwang/siemens/dti_taskcard/new/ (describing how to use DTI Task Card on Siemens Numaris 4 satellite console);</p> <p>http://www.medical.siemens.com/webapp/wcs/stores/servlet/PSGenericDisplay?storeId=10001&langId=-4&catalogId=-4&catTree=100001&pageId=38910 (describing Neuro Suite as a portion of Tim Application Suite including "EPI sequences and protocols for diffusion imaging").</p> <p>The Accused Instrumentalities make images using magnetic resonance to determine shape and position of human tissue. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – Morphology—details from head to toe at 3 (showing MR images of human tissue); Siemens RSNA 2008 Neurography Image; Siemens Trio TIM Neurography Image; Hopkins 4554271 image and associated report; Cedars Sinai 100330713 3-09 & 10-09; UCLA 1806064.</p>
<p>[3](a) exposing an in vivo region of a subject to a magnetic polarizing field, the in vivo region including non-neural tissue and a nerve, the nerve being a member of the group consisting of peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves;</p>	<p>The Accused Instrumentalities use a method that includes exposing an in vivo region of a subject to a magnetic polarizing field, the in vivo region including non-neural tissue and a nerve, the nerve being a member of the group consisting of peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves. For example, the Accused Instrumentalities have conventional MRI functionality, which requires exposure of a sample to a magnetic polarizing field. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – A short excursion through MR Physics at 20 ("What does an MR examination involve? Let's follow a patient examination step-by-step. The first steps involve moving the patient into the magnet where he is exposed to a strong magnetic</p>

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	<p>field.”), 31 (“What happens after we moved the patient into the magnetic field of the MR system? Let’s continue concentrating on a small voxel inside the patient’s tissue. ... they align in parallel or anti-parallel to the field.”); http://www.medical.siemens.com/webapp/wcs/stores/servlet/CategoryDisplay~q_catalogId~e-1~a_categoryId~e_12754~a_catTree~e_100010,1007660,12754~a_langId~e_1~a_storeId~e_10001.htm (last visited November 23, 2010) (describing “Siemens’ MAGNETOM® Family of MRI products”).</p> <p>The Accused Instrumentalities expose regions of live human subjects to a magnetic polarizing field. See, e.g., MAGNETOM Trio: A Tim System: Siemens Medical – Magnet System at 30-32.</p> <p>The exposed region includes non-neural tissue and a peripheral nerve, cranial nerve number three through twelve, and autonomic nerves. See, e.g., Siemens RSNA 2008 Neurography Image and Siemens Trio TIM Neurography Image (describing scan performed a TIM coil in a Siemens VERIO scanner and scan performed with a Siemens 3T Trio TIM system); Magnetom Flash, Case Report: Traumatic Lesion of the Brachial Plexus, pp. 102-05.</p> <p>The following images show peripheral nerves: Siemens RSNA 2008 Neurography Image (brachial plexus); Siemens Trio Tim Neurography Image (brachial plexus); Johns Hopkins 4554271 (sciatic nerve); Cedars Sinai 100330713 3-09 & 10-09 (sciatic, femoral, L5 and S1 nerves); UCLA 1806064 (sciatic nerve); Tim Upgrade Product News (brachial plexus).</p>
<p>[3](b) exposing the in vivo region to an electromagnetic excitation field;</p>	<p>The Accused Instrumentalities use a method that includes exposing the in vivo region to an electromagnetic excitation field. For example, the Accused Instrumentalities have conventional MRI functionality, which includes exposure of a sample to an electromagnetic excitation field. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – A short excursion through MR Physics at 48 (describing “stimulat[ing] them [protons in tissue] via a magnetic wave. The required short radio frequency wave is also known as the RF</p>

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	<p>pulse.”), 145 (describing the use of a “90 degree excitation pulse”).</p> <p>Exposing an in vivo region to an electromagnetic excitation field is necessarily shown by the T1 and T2 weighted series shown in the images. See also, e.g., Siemens RSNA 2008 Neurography Image; Siemens Trio TIM Neurography Image; Hopkins 4554271 image and associated report; Cedars Sinai 100330713 3-09 & 10-09; UCLA 1806064; notes accompanying the Trio image.</p>
<p>[3](c) sensing a resonant response of the in vivo region to the polarizing and excitation fields and producing an output indicative of the resonant response;</p>	<p>The Accused Instrumentalities use a method that includes sensing a resonant response of the in vivo region to the polarizing and excitation fields and producing an output indicative of the resonant response. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – A short excursion through MR Physics at 49 (“Important facts are: to interfere with the spins’ equilibrium, the RF pulse has to be in resonance with the spins.”), 62 (“The RF pulse applied causes the spin ensemble to lose its original equilibrium. After the end of a 90 degree pulse, magnetization is flipped into the xy-plane and rotates at the Larmor frequency. The rotating transverse magnetization generates the MR signal and decays quickly (FID).”).</p> <p>This step is used to obtain signals that form images in MRI. See, e.g., Siemens RSNA 2008 Neurography Image; Siemens Trio TIM Neurography Image; Hopkins 4554271 image and associated report; Cedars Sinai 100330713 3-09 & 10-09; UCLA 1806064.</p>
<p>[3](d)[1] controlling the performance of the steps (a), (b), and (c) to enhance, in the output produced, the selectivity of said nerve, while the nerve is living in the in vivo region of the subject,</p>	<p>The Accused Instrumentalities use a method that includes controlling the performance of the steps (a), (b), and (c) to enhance, in the output produced, the selectivity of the nerve, while the nerve is living in the in vivo region of the subject. For example, the magnet of the polarizing field can be shimmed, different fields of view selected, and particular oblique angles of slices can be obtained by mixing gradients. As further examples, the RF excitation field can be controlled by using a particular pulse sequence (e.g., CHESS, STIR, SPIR, TIRM, DIXON, Stejskal-Tanner pulsed gradient, etc.). Also, the time at which the response is sensed can be controlled. See, e.g., Magnets, Spins, and Resonances: An introduction to the basics of Magnetic Resonance: Siemens Medical – A short excursion through MR Physics at 85-91 (spin</p>

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	<p>echo: "When several 180 degree pulses are following each other in sequence, several spin echoes are generated by a MULTI-ECHO SEQUENCE."), 93-98 (gradient echo: "We are going to change the magnetic field directly after the RF pulse. The change involves that the field gets smaller in one direction and larger in the opposing one. This change is known as a gradient.").</p> <p>MR images generated from the output produced by the Accused Instrumentalities show enhanced selectivity of nerve in living human tissue. <i>See, e.g.,</i> Siemens RSNA 2008 Neurography Image and Siemens Trio TIM Neurography Image, also Hopkins 4554271 image and associated report. Also Cedars Sinai 100330713 3-09 & 10-09 and UCLA 1806064. Selectivity is enhanced for brachial plexus, sciatic nerve, femoral nerve and spinal nerves L5 and S1.</p>
<p>[3d2] said step of controlling the performance of steps (a), (b), and (c) including selecting a combination of echo time and repetition time that exploits a characteristic spin-spin relaxation coefficient of peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves, wherein the spin-spin relaxation coefficient is substantially longer than that of other surrounding tissue. For example, a spin-spin relaxation coefficient of the imaged nerves that is substantially longer than that of other surrounding tissue was exploited to prepare the Trio image. <i>See, e.g.,</i> Text accompanying Siemens Trio TIM Neurography Image with prolonged TE of 316 ms and TR of 4000 ms.</p>	<p>The Accused Instrumentalities use a method that includes the step of controlling the performance of steps (a), (b), and (c) including selecting a combination of echo time and repetition time that exploits a characteristic spin-spin relaxation coefficient of peripheral nerves, cranial nerves numbers three through twelve, and autonomic nerves, wherein the spin-spin relaxation coefficient is substantially longer than that of other surrounding tissue. For example, a spin-spin relaxation coefficient of the imaged nerves that is substantially longer than that of other surrounding tissue was exploited to prepare the Trio image. <i>See, e.g.,</i> Text accompanying Siemens Trio TIM Neurography Image with prolonged TE of 316 ms and TR of 4000 ms.</p>